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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,914	11/30/2001	Richard P. Sinn	21756-013600	4276

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EXAMINER
LAFORGIA, CHRISTIAN A

ART UNIT	PAPER NUMBER
2131	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/998,914	SINN, RICHARD P.
	Examiner	Art Unit	
	Christian La Forgia	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *16 May 2007*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,2,4,6-11,13,20,21,23,25-27 and 42-57* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1,2,4,6-11,13,20,21,23,25-27 and 42-57* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *30 November 2001* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *4/16/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 16 May 2007 has been entered.

2.   Claims 1, 2, 4, 6-11, 13, 20, 21, 23, 25-27 and 42-57 have been presented for

examination.

Response to Arguments

3.   Applicant's arguments with respect to claims 1, 2, 4, 6-11, 13, 20, 21, 23, 25-27 and 42-

57 have been considered but are moot in view of the new grounds of rejection.

4.   See further rejections that follow.

Claim Rejections - 35 USC § 103

5.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

6.   Claims 1, 2, 4, 5-11, 13, 20, 21, 23, 25-27, and 42-56 are rejected under 35 U.S.C. 103(a)

as being unpatentable over U.S. Patent No. 7,058,798 B1 to Elley et al., hereinafter Elley, in

view of U.S. Patent No. 6,842,863 B1 to Fox et al., hereinafter Fox.

7.   As per claims 1 and 20, Elley discloses a method comprising the steps of:

        retrieving status for a certificate (Figure 4, column 2, lines 47-61, column 10, lines 12-59,

i.e. resource server retrieving the status of each certificate, obtaining a credential);

storing said status (column 2, lines 47-61, column 3, lines 61-67, column 10, liens 12-59, i.e. caching certificate status at the resource server, storing credentials in a credential profile); and

storing validation information for said certificate, wherein said validation information includes an identifier of a time said status was retrieved and a validation interval for said status (Figures 2, 3, column 3, lines 44-60, column 5, lines 1-14, i.e. date and time of issuance, certificates, especially the X.509 which are used in OCSP, contain validity periods)

receiving a request to export said certificate (column 10, lines 42-60, i.e. Alice uses the credentials (certificate) to access resources at Bob);

determining whether to check a status for said certificate (Figure 4 [block 408], 5 [block 506], column 4, lines 1-20, column 11, lines column 11, line 66 to column 12, line 13, i.e. refreshing credentials, i.e. status of certificate).

8.   Elley does not teach wherein the status is a real time status and determining whether to check the status for said certificate in real time.

9.   Fox discloses using a real time status of a certificate (column 5, lines 55-67) and determining whether to check the status for said certificate in real time (column 5, lines 37-54, column 6, lines 31-51, column 10, lines 1-48, i.e. determining if the transaction is "high valued" and if so requiring real-time proof that the certificate has not been revoked or compromised).

10.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a real time status of the certificate and determine whether to check the status for said certificate in real time, since Fox states at column 5, lines 48-54 that checking for the status

of the certificates in real-time ensures that high-valued transactions have not been compromised

from using a revoked certificate.

11.   Regarding claims 2 and 21, Fox teaches wherein said step (c) includes the step of:

setting said validation interval to zero when said real time status retrieved is not valid (column 7,

lines 19-29, i.e. attesting to the current validity of the certificate, which could be deemed revoked

or invalid).

12.   Regarding claims 4 and 23, Fox discloses the steps of determining whether said check

time falls within a time period, wherein said time period begins at said time said real time status

was retrieved and extends for said validation interval (column 7, lines 30-44).

13.   Concerning claims 6 and 25, both Elley and Fox teach wherein exporting said certificate,

if said check time falls within said time period in their disclosure of presenting the certificate to

be used in a transaction.

14.   Concerning claims 7, 26, 47, and 55, Fox discloses issuing an error message, if said

check time does not fall within said time period (column 8, lines 19-29, i.e. issuing a statement if

the check failed).

15.   Regarding claim 8, Fox teaches retrieving a new real time status for said certificate, in response to determining to check status for said certificate in real time (column 5, lines 37-54, column 6, lines 31-51, column 10, lines 1-48).

16.   With regards claim 9, both Elley and Fox teach exporting said certificate, if said new real time status indicates said certificate is valid in their disclosure of presenting the certificate to be used in a transaction.

17.   With regards claims 10, 44, and 52, Fox discloses issuing an error message said new real time status indicates said certificate is not valid (column 7, lines 19-29, column 8, lines 19-29).

18.   Regarding claims 11 and 27, Fox and Elley both disclose retrieving a status for said certificate as noted above.

19.   Neither Fox or Elley disclose receiving a request to display information from said certificate and displaying said information from said certificate and said status.

20.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to display the certificate and its status upon receiving a request to display said information, since it would only require routine skill in the art to display such information and Official Notice is taken of such.

21.   With regards to claim 13, Fox discloses wherein said step (j) includes the steps of:

determining whether to check status for said certificate in real time (column 5, lines 37-54, column 6, lines 31-51, column 10, lines 1-48);

retrieving said real time status for said certificate to serve as said status, if it is determined to check status in real time (column 5, lines 37-54, column 6, lines 31-51, column 10, lines 1-48); and

retrieving a new real time status to serve as said status, if it is determined not to check status in real time (column 5, lines 37-54, column 6, lines 31-51, column 10, lines 1-48).

22.   As per claims 42 and 50, Elley discloses a method comprising:

retrieving a status for a certificate (Figure 4, column 2, lines 47-61, column 10, lines 12-59, i.e. resource server retrieving the status of each certificate, obtaining a credential);

storing the status (column 2, lines 47-61, column 3, lines 61-67, column 10, liens 12-59, i.e. caching certificate status at the resource server, storing credentials in a credential profile);

storing validation information for the certificate, wherein the validation information includes an identifier of a time the status was retrieved and a validation interval for the status (Figures 2, 3, column 3, lines 44-60, column 5, lines 1-14, i.e. date and time of issuance, certificates, especially the X.509 which are used in OCSP, contain validity periods);

receiving a request to export the certificate (column 10, lines 42-60, i.e. Alice uses the credentials (certificate) to access resources at Bob);

determining whether to check a status for the certificate (Figure 4 [block 408], 5 [block 506], column 4, lines 1-20, column 11, lines column 11, line 66 to column 12, line 13, i.e. refreshing credentials, i.e. status of certificate).

23.   Elley does not wherein the status is a real time status, exporting the certificate when it is determined not to check its status, determining to and checking the certificate status in real-time when it is determined to check the status of the certificate.

24.   Fox discloses determining to not check the status for the certificate, exporting the certificate without checking the status for the certificate (column 5, lines 37-54, i.e. using the certificate when it is determined that it is <u>NOT</u> a "high valued" transaction);

in response to determining to check the status for the certificate, determining whether to check the status for the certificate in real time (column 5, lines 37-54, column 6, lines 31-51, column 10, lines 1-48, i.e. determining if the transaction is "high valued" and if so requiring real-time proof that the certificate has not been revoked or compromised); and

in response to determining to check the status for the certificate in real time, retrieving a new real time status for the certificate (column 5, lines 37-54, column 6, lines 31-51, column 10, lines 1-48).

25.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a real time status of the certificate, export the certificate when it is determined not to check its status, determine to and check the certificate status in real-time when it is determined to check the status of the certificate, since Fox states at column 5, lines 48-54 that checking for the status of the certificates in real-time ensures that high-valued transactions have not been compromised from using a revoked certificate.

26.   Regarding claims 43 and 51, both Elley and Fox teaches exporting the certificate if the

new real time status indicates the certificate is valid in their disclosure of presenting the

certificate to be used in a transaction.

27.   Regarding claims 45 and 53, Fox teaches in response to determining to not check the

status for the certificate in real time, determining whether the check time falls within a time

period, wherein the time period begins at the time the real time status was received and extends

for the validation interval (column 7, lines 30-44).

28.   With regards to claims 46 and 54, both Elley and Fox teach exporting the certificate if the

check time falls within the time period in their disclosure of presenting the certificate to be used

in a transaction.

29.   Regarding claims 48, 49, and 56, Fox teaches wherein determining whether to check a

status for the certificate comprises querying a parameter field in an identity system (column 6,

lines 11-18, i.e. the request message is submitted to a certificate authority).

Conclusion

30.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Christian La Forgia whose telephone number is (571) 272-3792.

The examiner can normally be reached on Monday thru Thursday 7-5.

31.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

32.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christian LaForgia
Patent Examiner
Art Unit 2131

clf